

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Carter Salis	Team: Squad #4	CCRB Case #: 201906289	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 02/01/2019 8:30 AM	Location of Incident: § 87(2)(b)	Precinct: 23	18 Mo. SOL 8/1/2020	EO SOL 3/18/2021	
Date/Time CV Reported Thu, 07/18/2019 9:43 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 07/18/2019 9:43 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. LT Salvatore Mannino	00000	937015	TB DT33

Officer(s)	Allegation	Investigator Recommendation
A.LT Salvatore Mannino	Abuse: Lieutenant Salvatore Mannino threatened to arrest § 87(2)(b)	§ 87(2)(b)

### Case Summary

On July 18, 2019, § 87(2)(b) called the CCRB and filed this complaint.

On February 1, 2019, at approximately 8:30 AM, § 87(2)(b) was terminated from his employment § 87(2)(b). A manager told § 87(2)(b) to return his work identification. § 87(2)(b) began to leave § 87(2)(b) without returning his work identification. § 87(2)(b) security guards and Lt. Salvatore Mannino, of Transit Bureau District 33, followed § 87(2)(b) to the hospital's main lobby. Lt. Mannino allegedly told § 87(2)(b) "Give him the ID, otherwise we will arrest you" (**Allegation A—Abuse of Authority**—§ 87(2)(g) § 87(2)(b) provided his § 87(2)(b) identification to a security guard and left.

§ 87(2)(b) was not arrested or issued a summons as a result of this incident.

There is no known video evidence of this incident.

### Findings and Recommendations

#### **Allegation (A) Abuse of Authority: Lieutenant Salvatore Mannino threatened to arrest § 87(2)(b)**

§ 87(2)(b) testified in his notarized statement (BR 01) and telephone statement (BR 02) that he went to leave § 87(2)(b) with his work identification. § 87(2)(b) was followed by three to four § 87(2)(b) security guards. Two uniformed NYPD officers, one of whom the investigation identified as Lt. Mannino, entered the front doors of § 87(2)(b) and stood directly in front of § 87(2)(b). § 87(2)(b) described the other officer as a male in uniform. Lt. Mannino asked § 87(2)(b) to turn over his work identification to a security guard. § 87(2)(b) stated he would give his § 87(2)(b) identification to the Human Resources Department. Lt. Mannino then stated, "Give him [a security guard] the ID, otherwise we will arrest you." § 87(2)(b) provided his work identification to a security guard and left § 87(2)(b).

§ 87(2)(b) falls within the confines of the 23<sup>rd</sup> Precinct. The 23<sup>rd</sup> Precinct Resource Recap Log (BR 03) was reviewed and there were no related EVENTS.

The NYPD Paid Detail Unit (BR 04) confirmed that Lt. Mannino was the only NYPD officer working a paid detail post at § 87(2)(b) between 8:00 AM and 4:00 PM.

§ 87(2)(b), provided Incident Report #§ 87(2)(b) (BR 05), prepared on February 1, 2019 by § 87(2)(b) in regards to this incident. The report states, "[S]taff member § 87(2)(b) who had just been dismissed of his employment at the § 87(2)(c) was refusing to give up his ID badge and empty out his locker and leave the premises. § 87(2)(b)

§ 87(2)(b) responded to the unit upon arrival we met § 87(2)(b) who refused to comply with Security and His § 87(2)(b) ... Be advised at 8:30 AM Hrs § 87(2)(b) was stopped at Post 4 by the Paid Detail Police Lieutenant from § 87(2)(b) and he handed over his ID badge to § 87(2)(b) § 87(2)(b) and he exited out through § 87(2)(b)." A handwritten note on the incident report identified the Paid Detail Police Lieutenant as "Lt. Salvatore Manino— TAX #937015 – TD3 [sic]."

§ 87(2)(b) (BR 06) testified that he was working as a security guard for § 87(2)(b) § 87(2)(b) spoke to § 87(2)(b) and § 87(2)(b) refused to turn over his work identification. § 87(2)(b) § 87(2)(b) and Lt. Mannino approached § 87(2)(b) § 87(2)(b) requested § 87(2)(b)'s work identification. § 87(2)(b) provided his work identification and left § 87(2)(b). § 87(2)(b) did not recall Lt. Mannino saying

anything to § 87(2)(b) throughout the incident. Two additional NYPD officers, one of who was an African American male, responded during the incident and did not speak to § 87(2)(b). § 87(2)(b) (BR 07) testified that he received a call from § 87(2)(b) about § 87(2)(b) refusing to turn over his work identification. § 87(2)(b) radioed Lt. Mannino, who was working in § 87(2)(b). § 87(2)(b) and Lt. Mannino responded to the main lobby of § 87(2)(b) and approached § 87(2)(b). § 87(2)(b) told § 87(2)(b) that he needed to turn over his work identification because he had been terminated and that if he did not turn over his work identification, § 87(2)(b) reserved the right to call the NYPD because he was withholding § 87(2)(b) property. § 87(2)(b) provided his work identification to § 87(2)(b) and left § 87(2)(b). Lt. Mannino did not speak to § 87(2)(b). Another NYPD lieutenant allegedly responded at some point because the incident occurred during a tour change for paid detail officers. The responding lieutenant did not speak to § 87(2)(b).

Lt. Mannino (BR 08) stated he was working a paid detail post in the § 87(2)(b) with a uniformed § 87(2)(b) security guard. The § 87(2)(b) security guard received a call regarding an incident in § 87(2)(b) main lobby and verbally relayed this information to Lt. Mannino. Lt. Mannino and the § 87(2)(b) security guard entered the main lobby of § 87(2)(b) and Lt. Mannino observed four to five § 87(2)(b) security guards surround § 87(2)(b). Lt. Mannino stood behind the four to five § 87(2)(b) security guards. Lt. Mannino did not recall speaking to § 87(2)(b) hearing any conversation about the possibility of arrest, or telling § 87(2)(b) that he would be arrested if he did not hand over his work identification. § 87(2)(b) provided his work identification to § 87(2)(b) and left the hospital. To Lt. Mannino's knowledge, he was the only NYPD officer present during the incident.

§ 87(2)(g)

§ 87(2)(g)

#### **Civilian and Officer CCRB Histories**

- This is the first complaint to which § 87(2)(b) has been party (BR 09).
- Lieutenant Salvatore Mannino has been a member-of-service for fourteen years and has been a subject in three other CCRB complaints and seven other allegations, none of which were substantiated. § 87(2)(g)

#### **Mediation, Civil and Criminal Histories**

- This complaint was not suitable for mediation.
- On October 24, 2019, a FOIL request was submitted to the Office of the Comptroller to determine if any Notice of Claim had been filed in relation to this incident. The requested information will be added to the case file upon receipt.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

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Squad No.: Squad 4

Investigator:	_____	Investigator Carter Salis	10/30/19
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date